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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KAREN V. OBER, as Executrix of the Estate of P.
DAVID OBER,

Plaintiff,

v.

FINANCIAL INDUSTRY REGULATORY
AUTHORITY - DISPUTE RESOLUTION, INC.,

Defendant.

Civil Action No.: 08-CV-01912
(JGK)(KNF)

STIPULATION OF DISMISSAL

IT IS HEREBY STIPULATED by and between the undersigned attorneys that, pursuant to FED. R. CIV. P. 41(a)(1), the above-entitled action and the underlying state court action which was removed to this Court be, and the same hereby are, dismissed with prejudice and without costs or fees to either party as against the other. This dismissal is on the merits.

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Dated: May 1, 2008

SO ORDERED:

JOHN C. KOELTL, U.S.D.J.